

19B. HERITAGE PRESERVATION

19B.01. Definitions. Subdivision 1. The term “Heritage Preservation Site” means any building, structure, land, district, or object that satisfies the criteria found at section 19B.04.

19B.02. Heritage Preservation Commission Established. Subdivision 1. There is hereby established a City of Rochester Heritage Preservation Commission (“Commission”).

Subd. 2. The Commission shall consist of 11 voting members to be nominated by the Mayor and appointed by the Common Council (“Council”). Commission membership should be comprised of a mixture of citizens that have been involved in preservation activities, business interests, and homeowner interests.

Subd. 3. Commission members shall serve staggered three-year terms.

- A. Upon creation of the Commission, four members will be appointed for a term of three years each. Four members will be appointed for a term of two years each. Three members will be appointed for a term of one year each. Each initial term of office shall expire on December 31<sup>st</sup> of the year the term is scheduled to expire. All subsequent appointments will be made for three year terms. All members shall serve until their successors have been appointed and qualified.
- B. Within 45 days of a vacancy, the Mayor shall nominate a successor for approval by the Common Council to fill the unexpired term of the office. If a vacancy occurs in a term with less than 45 days remaining, the Mayor may allow the term to expire without nominating a successor.

Subd. 4. Members will not receive a salary for their services, but may be compensated for any approved expenses incurred in the performance of their duties in accordance with guidelines established by the Council.

Subd. 5. The Commission shall meet at least four times a year. The Commission shall hold its first meeting within 45 days after the day this Chapter becomes effective. At the first meeting, the members shall adopt rules concerning the following business:

- A. Time, dates, and places of future meetings;

- B. Election of Officers; and
- C. Voting and quorum requirements.

Subd. 6. The Commission shall elect from its members such officers as it may deem necessary. The Commission shall have the power to designate and appoint from its members various committees. The Commission shall make such rules as it may deem advisable and necessary for the conduct of its affairs and for the purpose of carrying out the intent of this chapter.

19B.03. Commission Duties. Following its establishment, the Commission shall prepare a listing of those sites that would be recommended for designation as Heritage Preservation Sites using the criteria found in section 19B.04. The Commission shall also review the availability of financial incentives that might exist so as to encourage heritage preservation.

19B.04. Criteria for Recommended Designation of Heritage Preservation Sites. Subdivision 1. The Commission shall make its recommendations reflecting the following criteria:

- A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, the State or the United States;
- B. Its location as a site of a significant historic event;
- C. Its location within and contribution as an element of an historic district;
- D. Its identification with a person who significantly contributed to the culture and development of the City;
- E. Its embodiment of distinguishing characteristics of an architectural style period, form, or treatment;
- F. Its identification as the work of an architect or master builder whose individual efforts have influenced the development of the City or have contributed to the development of a nationally or internationally-recognized style or movement;

- G. Its embodiment of elements of architectural design, detail, material, or craftsmanship that represent a significant architectural innovation; or
- H. Its location, scale, or other physical characteristics representing an established and familiar visual feature or a neighborhood, a district, the community, or the City.

Subd. 2. The state of repair, condition, and quality of construction of a structure recommended for designation as a Heritage Preservation Site must be such that maintaining its current use or establishing an adaptive reuse of the structure is economically feasible.

19B.05. Public Hearing. Upon receipt of the Commission's listing of sites recommended for designation as Heritage Preservation Sites, the Mayor and Council shall hold a public hearing to receive public input from public and the sites' owners to determine what, if any, regulations should be enacted governing the repair, alterations, or demolition of such sites.

19B.06. Interim Time Period. Subdivision 1. During the time the Commission is preparing its listing of those sites that would be recommended for designation as Heritage Preservation Sites, a property owner of a site that may be considered to be a Heritage Preservation Site may seek some form of public assistance that may involve the alteration or removal of the property. In those cases, the Mayor and Council should request the Commission to review and make a recommendation regarding the alteration or removal of such site.

Subd. 2. A demolition permit involving a site which may be potentially designated as historic, or any permit for the exterior alteration of any building listed on the National Register of Historic Places database maintained by the National Park Service, U.S. Department of the Interior, must be submitted to the Commission for its recommendation, and then submitted to the Council for its review and action.  
(4130; 9/16/13; 4143, 12/16/13)

(4104, 2/4/13; 4130, 9/16/13; 4143, 12/16/13)